

REMARKS

Claims 4-10 are pending in this application. Claims 1-3 have been canceled. Claim 4 was amended to more clearly describe the present invention. Claims 8 and 9 were amended to correct typographic errors. Reconsideration and allowance of the present application based on the following remarks are respectfully requested.

Claim Rejections under 35 U.S.C. § 102

The Examiner rejected claims 1 and 2 as anticipated by O'Connell (US 6,678,788). Applicants have canceled claims 1 and 2, and therefore this rejection is deemed moot.

Claim Rejections Under 35 U.S.C. § 103

A. Claim 3 was rejected under 35 U.S.C. § 103(a) as being unpatentable over O'Connell in view of Fish et al (US 5,828,876). Applicants have canceled claim 3, and therefore this rejection is deemed moot.

B. Claims 4, 5 and 7 were rejected under 35 U.S.C. 103(a) as being unpatentable over O'Connell in view of Frey, Jr. (US 6,742,137). Applicants have amended claim 4 to more clearly specify that the last disk ID field of the present invention refers to the last disk in which physical data was stored. Applicants respectfully traverse this rejection.

The Examiner noted that O'Connell does not disclose "extending an inode structure to include a last disk ID field," "initializing the last disk ID when a file is created in the file system," "allocating a physical block based on the last disk ID when a physical block allocation is required at the time of file I/O request in the file system," and "modifying the last disk ID value to reflect the physical block allocation made by the volume manager." The Examiner cites to Frey, Jr. to remedy the deficiencies of O'Connell. However, Frey, Jr. does not provide the elements of claim 4 lacking in O'Connell as set forth below.

The claimed invention uses the "last disk ID field for identifying the last disk in which a physical block allocation was made." Claim 4 requires "allocating a physical block **based on the last disk ID**" (emphasis added). That is, the claimed invention requires that the allocation of a physical data block is dependent upon ("based on") the last disk in which a physical data block allocation was made. The Examiner cites to col. 3, ll. 50-61 of Frey, Jr. for the proposition that Frey, Jr. discloses such a physical data block allocation system. However, neither the cited portion of Frey, Jr. nor any other portion of O'Connell, Frey, Jr., or any other reference cited by

the Examiner disclose such a physical block allocation method. The claimed method of allocating data blocks is a significant advance over the prior art, as the claimed method alleviates the problem of maldistribution of files by avoiding the storage of blocks of the same file on the same physical disk as much as possible. See, e.g., p. 5 of the Original Specification.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 4. Claims 5 and 7 are believed allowable for at least the same reasons presented above with respect to claim 4 by virtue of their dependence from claim 4.

C. Claim 6 was rejected under 35 U.S.C. 103(a) as being unpatentable over O'Connell and Frey, and in further view of Fujimoto et al. (US 6,377,500). Applicants respectfully traverse this rejection.

As set forth above, O'Connell and Frey, either alone or in combination, neither disclose nor suggest all of the limitations of claim 4. It is submitted that Fujimoto does not supply the above-noted deficiencies of the other references. Therefore, Claim 6 is believed allowable for at least the same reasons as presented above with respect to claim 4 by virtue of its dependence from claim 4. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claim 6.

D. Claims 8-10 were rejected under 35 U.S.C. 103(a) as being unpatentable over O'Connell and Frey and in further view of Machiguchi (US 6,064,635). Applicants respectfully traverse this rejection.

As set forth above, O'Connell and Frey, either alone or in combination, neither disclose nor suggest all of the limitations of claim 4. It is submitted that Machiguchi does not supply the above-noted deficiencies of the other references. Therefore, Claims 8-10 are believed allowable for at least the same reasons as presented above with respect to claim 4 by virtue of their

dependence from claim 4. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 8-10.

Conclusion

Therefore, all rejections having been addressed, it is respectfully submitted that the present application is in a condition for allowance and a Notice to that effect is earnestly solicited.

Should any issues remain unresolved, the Examiner is encouraged to contact the undersigned attorney for Applicants at the telephone number indicated below in order to expeditiously resolve any remaining issues.

Respectfully submitted,

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